United Nations S/PV.3612

Security Council
Fifty-first Year

Provisional

3612th Meeting
Thursday, 21 December 1995, 4.30 p.m.
New York

President:	Mr. Lavrov	(Russian Federation)
Members:	Argentina	Mr. Cárdenas
	Botswana	Mr. Legwaila
	China	Mr. Qin Huasun
	Czech Republic	Mr. Kovanda
	France	Mr. Dejammet
	Germany	Mr. Henze
	Honduras	Mr. Rendón Barnica
	Indonesia	Mr. Thayeb
	Italy	Mr. Fulci
	Nigeria	Mr. Gambari
	Oman	Mr. Al-Khussaiby
	Rwanda	Mr. Habiyaremye
	United Kingdom of Great Britain and Northern Ireland	Sir John Weston
	United States of America	Mrs. Albright

Agenda

The situation in the Republic of Bosnia and Herzegovina

Report of the Secretary-General pursuant to Security Council resolution 1019 (1995) on violations on international humanitarian law in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most (S/1995/988)

95-87105 (E)

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The meeting was called to order at 5.30 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Republic of Bosnia and Herzegovina

Report of the Secretary-General pursuant to Security Council resolution 1019 (1995) on violations of international humanitarian law in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most (S/1995/988)

The President *(interpretation from Russian)*: I should like to inform the Council that I have received letters from the representatives of Bosnia and Herzegovina and Turkey in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Misić (Bosnia and Herzegovina) took a seat at the Council table; Mr. Çelem (Turkey) took the seat reserved for him at the side of the Council Chamber.

The President *(interpretation from Russian)*: The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General pursuant to resolution 1019 (1995) on violations of international humanitarian law in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most. The report is contained in document S/1995/988.

Members of the Council also have before them document S/1995/1047, which contains the text of a draft resolution submitted by Argentina, France, Germany, Italy, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I should like to inform members of the Council that the Czech Republic has become a co-sponsor of the draft resolution.

I should like to draw the attention of members of the Council to the following technical changes which should be made to the text of the draft resolution contained in document S/1995/1047.

In the second line of operative paragraph 2 in the English text, the word "in" after the words "human rights" should be replaced by the word "by". In the fifth line of operative paragraph 5, after the words "within the areas of" the words "the Republic of" should be deleted. In the penultimate line of the same paragraph, after the word "of" at the beginning of the line, the words "the Republic of" should be deleted. In the third line of operative paragraph 14, after the words "in the areas in" the words "the Republic of" should be deleted.

The first speaker is the representative of Bosnia and Herzegovina, on whom I now call.

Mr. Misić (Bosnia and Herzegovina): Today the Council will adopt the draft resolution before it. It could and should have been adopted much sooner. Its significance, therefore, is, in my opinion, rather of a moral and ethical nature.

Although long overdue, the draft resolution can ultimately have some positive effects. It cannot bring the dead back to life, but it can reveal the otherwise hidden truth of their suffering and their executors. It may not immediately bring to justice those who have so disgraced mankind, but it can possibly halt the producing of more criminals and encourage others to deny them protection and, instead, to provide the required cooperation and assistance to the Tribunal in The Hague. This draft resolution can — if implemented, of course — certainly have a positive impact on the establishment of mutual confidence and the healing of the wounds of the survivors in Bosnia and Herzegovina. That is why my Government welcomes this draft resolution and expresses its gratitude to the sponsors.

The Secretary-General's report, on which the draft resolution was based, indicated that the Co-Chairmen's report on the isolation of Pale Serbs by the Milosević regime was unfortunately inaccurate. The report confirmed that paramilitary forces, war *matériel*, special police forces, and vehicles and many other items had regularly and without interruption been delivered from

Serbia to the Pale Serbs. This flow of men and *matériel*, not to mention the direct involvement of the military leaders of the former Republic of Yugoslavia, played a very important role in the brutal and criminal overrunning of the safe areas, in contravention of all the Security Council resolutions on the matter, and led to the exodus of tens of thousands of civilians and the liquidation of thousands of unarmed men and boys.

Therefore, the Secretary-General's report indirectly confirmed that the previous reports by the Co-Chairmen of the International Conference on the Former Yugoslavia were lacking and that those three-monthly decisions of the Council to suspend the sanctions against Serbia and Montenegro were not based on proper evidence.

The Secretary-General's report confirmed the Pale Serbs' continued and brazen disrespect of resolution 1019 (1995), the clear concealment of the truth regarding the fate of the missing persons, and the likely destruction of evidence of the crimes committed under Mladić's orders and, frequently, in his presence.

After many provocative and disgraceful statements by Ambassador Vadislav Jovanović, which have until now gone unnoticed or produced little reaction, the Secretary-General's report has furthermore helped to draw attention to Ambassador Jovanović's affinity for manipulating the facts, for disregarding the truth and for pretentious lecturing to the Security Council itself.

Ambassador Jovanović's most recent letter to the President of the Security Council, containing his reaction to the Secretary-General's report on human rights in Bosnia and Herzegovina, provokes in the first place amazement, then sorrow, and then, great alarm. If the representative of the former Republic of Yugoslavia decided on his own initiative to be the advocate for war criminals whose indictments have recently been extended to include mass murder and genocide in Srebrenica and Zepa, then this letter to the President of the Council, though still ethically and diplomatically disgraceful, would be of less concern than if it reflected the position of his Government.

It is difficult, however, in this context not to remember the Government of the Federal Republic of Yugoslavia's statement, which was transmitted to the Security Council by Mr. Jovanović in his letter dated 2 November and contained in document S/1995/916. This statement calls the murders, criminal attacks on and destruction of the safe area of Srebrenica

> "operations for the liberation of the Muslim military stronghold of Srebrenica". (*S/1995/916, annex*)

Thus, Ambassador Jovanović's latest letter is neither surprising nor shocking. Those who have followed Jovanović's actions since his arrival at the United Nations realize fully that truth is at the bottom of his agenda and that he employs various means to create confusion, deceive his colleagues and blur reality in order to defend the crimes and abhorrent policies of the self-proclaimed Serbian leaders in Bosnia and Herzegovina and Croatia and their supporters in Belgrade and to denounce and insult their victims.

Frankly, it is difficult to expect anything else from a man who, as chief of Federal Republic of Yugoslavia diplomacy, attempted to convince the world that the Belgrade regime had nothing to do with the aggression against Bosnia and Herzegovina and Croatia, that in Bosnia and Herzegovina and Croatia the Serbs had only responded to the ostensible terror of the Bosniacs and Croats and so on. Finally, after all, what can be expected of a man who did not shy away from stating and instructing his diplomats to claim that those heinous massacres in Sarajevo, Tuzla, Gorazde and elsewhere had been invented and staged by "Muslim forces", as he takes particular pleasure in calling us. Ambassador Jovanović could not resist this temptation even in his last letter. He uses this favourite formula of his in claiming that Muslims in Srebrenica actually killed each other off.

In brief, Ambassador Jovanović, in his last letter, has once again demonstrated the basic diplomatic manners and methods of the regime that he serves. He has shown us how the truth can be turned into a lie and how he arrogantly disrespects not only the most responsible personalities of the United Nations but also this whole institution, including the Security Council and its members. Unfortunately, these methods have been used with some effect, and sometimes even with some approval. Now the question again arises whether anybody could even contemplate neglecting the spirit and the letter of the General Assembly and Security Council resolutions on the status of the former Socialist Federal Republic of Yugoslavia and the Federal Republic of Yugoslavia in the United Nations. Some may say that by this most recent letter Jovanović is shooting himself in the foot. But, more importantly, one should fear that Jovanović is shooting at the very Dayton Peace Agreement.

The Federal Republic of Yugoslavia Government has, through the acceptance of the Dayton Agreement and

a range of other commitments, at least formally rejected the policies of Karadzić and Mladić. They have been characterized as war profiteers and criminals, even by the Serbian officials and regime-controlled media in Belgrade. Is it possible that this has gone unnoticed by Ambassador Jovanović? Or does he have his own personal opinion on such issues? Or is this maybe a double game on the part of the regime in Belgrade? Whatever may be behind this letter of Mr. Jovanovic, it is most regrettable and disheartening.

I cannot neglect to recall the last statement by Mr. Jovanović before this Council upon the adoption last Friday of resolution 1031 (1995). In it he called for guarantees of protection, freedom, security, equality and human rights for Sarajevo Serbs. Those Serbs that he has in mind and for whom he has shown so much concern are actually those who engaged in the destruction of that very Sarajevo for three and a half years, those who killed so many Muslims, Croats and others, as well as many of those 80,000 Serbs who remained in besieged Sarajevo, rejecting Karadzić's and Mladić's policy of aggression and genocide. The Serbs Jovanović cares for are not Serbian civilians but those extreme nationalists and militant fanatics who wanted to erase the traces of this multi-ethnic city so that a Serb-only Sarajevo could be built on its ruins.

There have long been no Bosniac Muslims or Bosnian Croats in the parts of Sarajevo occupied by Karadzić's and Mladić's Serbs, just as there are none remaining in other parts of Bosnia and Herzegovina controlled by the Serb forces for which Jovanović expresses his concern.

The Government of Bosnia and Herzegovina will not expel any Serb civilians from the so-called Serb-held parts of Sarajevo, nor Serbian soldiers. My Government has never propagated the idea or carried out the practice of creating "ethnically pure" territories, as have Karadzić, Mladić and their hordes.

The Serb people should, rather, be protected from those who have dragged them into this shameful aggression, who have forced many of them to expel Bosniacs and Croats and who have organized "ethnic cleansing" and genocide.

For the aggressive Serbian warriors and the architects of a greater Serbia without non-Serb peoples, the danger of peace is obvious. The danger is that peace will offer the deceived and fooled Serbian people a chance to understand where their leaders have led them and, finally, to start protecting themselves from their own self-proclaimed protectors. This is why the rebel Serbs, their leaders and supporters have so far, so long and so persistently rejected peace in Bosnia and Herzegovina.

I can only hope, however, that the Federal Republic of Yugoslavia's diplomacy will soon begin to distance itself from war criminals, "ethnic cleansing" and other objectives of aggressive nationalist policies and will live up to the commitments the Federal Republic of Yugoslavia made by signing the Peace Agreement in the middle of this month in Paris.

The President (*interpretation from Russian*): The next speaker is the representative of Turkey. I invite him to take a seat at the Council table and to make his statement.

Mr. Çelem (Turkey): My delegation has on numerous occasions cited the position of the President of the International criminal Tribunal that peace without justice is no peace at all.

We strongly uphold this principle. The prospect and promise of peace embodied in the Dayton Agreement, which was signed in Paris on 14 December 1995, requires full compliance. The commitments undertaken through this Agreement should not remain on paper. They should be implemented in good faith.

The report of the Secretary-General on the crimes and violations of international humanitarian law committed in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most by the Pale Serbs illustrates one of the particularly disturbing and dark chapters of recent history. The cruelty and magnitude of the crimes committed there demonstrated once again how dastardly the so-called Pale leadership could become. As is stated in paragraph 76 of the report (S/1995/988) of the Secretary-General, the International Tribunal issued further indictments against Karadzić and Mladić for their direct and individual responsibilities for the atrocities committed against the Bosnian people living in Srebrenica. They are charged, *inter alia*, with crimes against humanity and genocide. It is the commitment not only of the parties to the Agreement but also of the international community to bring these criminals to justice. Security Council resolution 1031 (1995) reaffirmed this commitment. The Implementation Force (IFOR) will detain any persons indicted by the International Tribunal who come into contact with it and will ensure their transfer to the Tribunal.

We are appalled to learn that there are still attempts to distort the facts in order to conceal the cruel crimes of the indicted war criminals. Those concerned should bear in mind that they can be considered as reliable parties to the peace and reconciliation process only if they remain true to their words and obligations. In this context, we reiterate our call upon the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to start its cooperation with the international criminal Tribunal without further delay.

Those who lost their lives as a result of the atrocities and horrors carried out in the name of "ethnic cleansing" over the past four years should not, and will not, be forgotten. If peace is to prevail, those who are responsible for the cruellest crimes against humanity should not be allowed to go unpunished, nor the victims denied justice. Let us remember: for there to be a lasting peace, it must be accompanied by a sense of justice in the minds of all citizens — in particular, the victims of atrocities in Bosnia and Herzegovina. Therefore, the international community must not fail, in the future, to effectively prevent the recurrence of mass executions, concentration camps, "ethnic cleansing", genocide and campaigns of rape and terror.

With this determination, we welcome the draft resolution we are about to adopt and look forward to its full implementation.

The President (*interpretation from Russian*): It is my understanding that the Council is ready to proceed to the vote on the draft resolution (S/1995/1047) before it. If I hear no objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

Mr. Henze (Germany): The report of the Secretary-General on violations of international humanitarian law committed by Bosnian Serbs in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most is a sad and particularly worrying summary of the current state of information on the key issues of missing persons, executions and the involvement of Bosnian Serb leaders and of Serbian paramilitary forces in those crimes.

Especially by the prudence of its approach, by its matter-of-fact style and careful use of available evidence, the report, in our view, makes a compelling case.

Together with our French partners, my delegation has taken the initiative for the draft resolution that is before the Council. We did so, because we felt — as did the other sponsors — that the Council could not shy away from a specific, clear and unequivocal reaction to the specific crimes and violations of international humanitarian law described in this report.

Let me reiterate the German position with regard to two fundamental principles.

First, it is of the utmost importance that the same legal standards, the same norms of law and the same critical objectivity are applied everywhere — be it in the areas in question, in other parts of the former Yugoslavia or elsewhere in this world. There must be no selectivity, no attempts to either "diminish" or "enlarge" violations of international humanitarian law committed by one side for partisan reasons of political convenience.

In the same manner, we oppose attempts to "balance" the crimes committed by one side with human rights violations committed by another or to equate behaviours that cannot be equated. This would weaken and obfuscate justice. Justice means that equal crimes shall be treated equally, and unequal deeds shall be treated differently.

Secondly, it is equally important that this Council and its members honour the general principle of the separation of powers by seeing to it that the judicial prerogatives and competences of the international criminal Tribunal for the former Yugoslavia are fully respected.

Obviously, this does not preclude the Council from reiterating its strong support for the work of the international Tribunal. As the Secretary-General says,

> "States have an obligation to take the actions needed to create the conditions essential for the Tribunal to perform the task for which it has been created". *(S/1995/988, para. 77)*

After a study of the Secretary-General's report, there can be little doubt that the crimes and violations of international humanitarian law committed in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most by

Bosnian Serbs are of a particularly disturbing nature, with regard to the dimension, quantity and quality of the crimes committed.

As the Secretary-General has observed, there is undeniable evidence of a consistent pattern of summary executions, rape, mass expulsions, arbitrary detentions, forced labour and large-scale disappearances.

With regard to Srebrenica, the painful reality and sombre facts of the events that took place there in July have become increasingly clearer. On 10 August of this year, when we adopted resolution 1010 (1995), Ambassador Eitel asked about the missing men of Srebrenica,

> "Where are they? What has happened to them? Are they ... well?" (*S/PV.3564, p. 3*)

He added,

> "We continue to hope that they are alive." (*supra, p. 4*)

Today, four months later, we must fear — we are almost certain — that most of them are dead.

As the best current estimate of the number of missing persons is between 3,500 and 5,500 men, and taking into account the available evidence of executions, we now must assume that such a high, yet still unknown, number of Bosnian men have been killed in summary executions. As executions on such a scale normally cannot be attributed to individual acts, there must have been some kind of order or instructions to kill the Bosnian men from Srebrenica. We note the evidence of the involvement of the Bosnian Serb leaders mentioned in the report. It leaves no doubt that Bosnian Serb leader Mladić was present in person in the Srebrenica area during those critical days.

Bearing this in mind, what shall we say in response to the assertions and allegations contained in the letter of the representative of the Federal Republic of Yugoslavia, Mr. Jovanović, to the President of the Security Council dated 18 December? What shall we say to the assertion that the Bosnian Muslims who died in Srebrenica in July were killed by other Muslims, not by Bosnian Serbs?

I do not want to comment on this. Let me simply say that I support the comments made by the Ambassador of the United Kingdom, Sir John Weston, as reported in yesterday's *New York Times* article on this letter, a letter which leaves one with incredulity and a somewhat bitter aftertaste. "O, si tacites", as the Romans used to say: "If only you had kept silent".

Over the last few months, we have all become increasingly aware that there can be no peace, that there will be no peace in Bosnia without achieving as much justice as possible. Can we imagine that there will be peaceful coexistence if there is impunity for the violations of international law in question? Can the feelings of the families of the victims be ignored? The answer is clear: justice must take its course. Those who are responsible must be held responsible.

In this respect, the draft resolution takes note that on 16 November 1995 the International Tribunal issued indictments against Bosnian Serb leaders Karadzic and Mladić for their direct and individual responsibility for the atrocities committed against the Bosnian population of Srebrenica. They are charged, *inter alia*, with crimes against humanity and genocide. The draft resolution also recalls the provision of the Dayton Peace Agreement that no person indicted by the International Tribunal may stand as a candidate or hold any other public office in Bosnia and Herzegovina.

The Secretary-General states that the full truth about the human rights violations and crimes in question has yet to be established. We believe that three aspects are of particular importance: there must be a full investigation of the violations in question; access to the area is crucial; and the international community must be firm and steady in its support of the efforts of the International Tribunal.

As the Secretary-General says in his report, the international community bears a great moral responsibility in this respect.

Let me conclude by saying that my delegation sincerely hopes that, after the signing of the Peace Agreement at Paris, this will be the last draft resolution that is necessary on this matter. We hope that the cooperation with the International Tribunal promised in Dayton will be forthcoming and real. We will follow this closely, with no illusions. But we are looking forward to a time when people in Bosnia and elsewhere in the former Yugoslavia — Bosnian and Bosnian Serb citizens of Bosnia alike, as well as Croats and Serbs — will be able to leave the memories of recent years behind and to work together for a better future. It is in this spirit that we will vote in favour of the draft resolution.

Mr. Al-Khussaiby (Oman): More than four months ago, during the month of July, there was a city called Srebrenica with more than 8,000 inhabitants, mainly Bosnian Muslims. Both the city and its inhabitants vanished before the eyes of the international community in one of the most brutal crimes in modern history. Substantial evidence supports the conclusion that Bosnian Serb soldiers are responsible for this crime of genocide.

This is another heavy price which has to be paid by the Bosnians for their freedom and independence and for having relied on the will of the international community to protect them from the Serbian aggression that seems to haunt them in every corner of their country.

For over four months, since the events in Srebrenica, the United Nations and other humanitarian organizations, including the International Committee of the Red Cross, have been trying to gain access to the area, as well as to other areas where specific accounts of violations of humanitarian law are reported to have taken place. In fact, despite the repeated calls by the Council on numerous occasions, in both informal and formal meetings, the party concerned failed to grant such access. To this day, the story of Srebrenica and many other areas in the Republic of Bosnia and Herzegovina — such as Zepa, Banja Luka, Sanski Most, Bihac and Maglaj — remain a living nightmare that needs to be addressed.

A few days ago the international community witnessed a truly historic achievement in Paris with the official signing of the Peace Agreement by all the warring parties. While on the one hand we are of the opinion that efforts should not be spared to give the needed momentum for this process to work, we believe, on the other hand, that investigating these crimes is a generically linked component in making the Peace Agreement viable and credible to all the parties. Crimes of this magnitude, including summary executions, rapes, mass expulsions, arbitrary detentions, forced labour and large-scale disappearances, attest to nothing but the wickedness of one human against another fellow human, which in our opinion should not be ignored at all. In fact, justice should and must prevail in the end, and those who have committed crimes against humanity must be brought to justice and held responsible in respect of such acts.

In fact, through the draft resolution before us, members of the Council have the opportunity to express, in a united voice and in the strongest possible terms, their condemnation of all violations of international humanitarian law and human rights committed in the territory of the Republic of Bosnia, demanding that all concerned, particularly the Serbs, comply fully with their obligations in this regard. Furthermore, they will support the work of the International criminal Tribunal by reiterating the demand that all States and parties in the region of the former Yugoslavia comply fully and in good faith with the obligations contained in operative paragraph 4 of resolution 827 (1993) and create the conditions essential for the Tribunal to perform the task for which it has been created, including the establishment of offices of the Tribunal when it deems this necessary.

My delegation is aware that this draft resolution will not bring back to life those thousands of people who were killed in Srebrenica and Zepa and other areas. Nevertheless, we are of the opinion this is the very minimum the international community can do and should do at this stage. We believe we owe it to the people of Bosnia to investigate the fate of their relatives, something that will serve as a living memory for generations to come.

Ironically, even while we deliberate this issue here today, detention camps still exist throughout the territory of Bosnia, and atrocities continue to be committed. We believe this should come to an end immediately and that the parties concerned should fully live up to their commitments in their entirety. Today, we appeal to friends and all those in the international community involved in overseeing implementation of the Peace Agreement to make sure that the Serbs stop at once the commission of acts against fellow human beings. We hope that in the days to come we will see some concrete steps in this regard. We also hope that the Implementation Force (IFOR) will act according to its mandate, including by apprehending all those indicted by the International criminal Tribunal. With that hope, my delegation has decided to vote in favour of the draft resolution before us.

Finally, I would like to associate my delegation with those who spoke before us in saying that there should be no selectivity in the implementation of Security Council resolutions, be it in the former Yugoslavia or anywhere else in the world.

Sir John Weston (United Kingdom): The adoption of this draft resolution, of which the United Kingdom is a sponsor, is the clearest possible signal that the Council has not forgotten and will not forget what happened in Srebrenica, Zepa, Banja Luka and Sanski Most. The Secretary-General's report provides irrefutable evidence

of atrocities there and elsewhere. The British Government unreservedly condemns the violations of international humanitarian law and human rights that took place. Furthermore, this draft resolution gives the lie to attempts to downplay such violations, ignore them or even deny that they took place, and those who do attempt to deny such events only bring themselves into disrepute. The evidence detailed in the Secretary-General's recent report is chilling. It speaks for itself.

Given the scale on which such human rights abuses occurred, it is right that the Council should focus in particular on these events. But let there be no misunderstanding: the Council's commitment is to human rights, irrespective of ethnic background, nationality or religion. By focusing in this draft resolution on crimes committed against non-Serbs, we do not in any way condone or ignore other human rights violations that have been committed against members of the Serb population. Nor does this draft resolution seek to condemn the Bosnian Serb people. Such crimes are committed by individuals, and it is as individuals that those involved will be held responsible.

The British Government is also disturbed by continued reports of house-burning, looting and destruction of property in those areas that the parties agreed at Dayton should be transferred to another entity. Such actions must stop immediately.

What of the future? How do we ensure that what happened at Srebrenica, or indeed anywhere else, does not happen again? The immediate answer lies in the urgent and full implementation of the Paris Peace Agreement. That Agreement enshrines in Bosnia's Constitution the highest respect for human rights. It allows for United Nations civilian police to train local police forces and to monitor their actions at the grass-roots level.

The United Nations will also play an important role in international efforts to promote respect for human rights, whether through the work of the Office of the United Nations High Commissioner for Refugees (UNHCR) with returning refugees, through the Centre for Human Rights and its provision for training and specialist advice, or through the Special Rapporteur for the former Yugoslavia.

The Paris Peace Agreement also allows for the holding of elections in six months' time so that the Bosnian Serb people can choose who should represent them in the future.

In short, the Agreement sets out a road map designed to re-establish the rule of law throughout all the communities in Bosnia. But implementation itself will be hindered and will prove incomplete if those responsible for the acts referred to in the Secretary-General's report are not brought to justice. That is why it is essential that we all support fully the work of the International criminal Tribunal for Yugoslavia. The British Government welcomes the progress made so far by the Tribunal, including its issuing of indictments in relation to the events that took place in Srebrenica.

It is essential that UNHCR and the International Committee of the Red Cross be given full access to those displaced or those detained or missing from Srebrenica and elsewhere. If there is to be a lasting and durable peace in Bosnia, then it must be based upon reconciliation between the communities. And that reconciliation can be complete only if it is accompanied by justice.

Mr. Kovanda (Czech Republic): Just a few days ago we commended leaders of Croatia, Bosnia and Herzegovina and the Federal Republic of Yugoslavia for having signed the Peace Agreement for Bosnia and Herzegovina. Shortly before that, we suspended economic sanctions against the Federal Republic of Yugoslavia. These developments will, we hope, stanch the torrent of destruction in the former Yugoslavia. The deployment of the Implementation Force (IFOR) constitutes a serious commitment by the international community to assist in this.

Today, however, we have to deal with what seemingly is another issue — namely, violations of international humanitarian law and of human rights. During our two-year tenure on this Council, this is at least the tenth time my delegation is addressing this issue, and we have again joined the sponsors of the draft resolution before the Council. We also note that we are addressing the issue on the eve of the visit of my President, Václav Havel, to Sarajevo.

We are grateful to the Secretary-General for his report, which — in his words — provides

> "undeniable evidence of a consistent pattern of summary executions, rape, mass expulsions, arbitrary detentions, forced labour and large-scale disappearances". *(S/1995/988, para. 74)*

Only the worst possible fate can be inferred concerning the thousands missing in Srebrenica. And, of course, the more time that elapses since the tragedies under discussion, the less chance there is that we shall ever find out exactly what really happened and who exactly is responsible. This should not stop us from trying, however.

Some have described the Secretary-General's report as containing "shortcomings", as providing "insufficient evidence", as containing "arbitrary statements". They have argued that the "alleged" mass killings and disappearances furthered a "propaganda campaign" of the Bosnian Government, and even that it was renegade Muslims who slaughtered thousands of their co-religionists.

My delegation would be the first to welcome factual rebuttals of the information contained in the Secretary-General's report. We would welcome a factual explication of its alleged shortcomings, the marshalling of factual evidence to make up for its alleged insufficiencies. We would, most of all, delight in finding out that the Srebrenica thousands were not killed at all, that they had merely been forgotten — sequestered, perhaps, in some barn in a hidden mountain valley. However, we are not aware of any such factual evidence. We are not aware of any evidence better than that provided in the Secretary-General's report, and we agree with him that it is indeed undeniable.

We are profoundly shocked that some parties are still not cooperating with the international community in allowing a search for the necessary additional evidence. By not cooperating, they contravene the obligations they undertook in signing the Peace Agreement. We urge Bosnian Serbs to comply with their obligations, including providing access to persons displaced, detained or reported missing.

The Security Council has always insisted on individual responsibility of the perpetrators of "ethnic cleansing". Individual responsibility applies, of course, to all parties. In this connection, my delegation is deeply concerned by recent reports of violations of human rights of the civilian population and of arson and looting in those areas of Bosnia and Herzegovina that the Peace Agreement would transfer to another authority. In particular, this concerns crimes of which we suspect the Bosnian Croats — the HVO — in the areas of Mrkonjić-Grad and Šipovo.

A durable peace in the Balkans is, first of all, in the interests of the parties to the conflict themselves. By contributing a substantial unit to IFOR, the Czech Republic expresses its confidence in the sincerity of the parties' commitment to all aspects of this Agreement. Compliance with Security Council resolutions and with requests of the International Tribunal for the Former Yugoslavia constitutes an essential aspect of implementing the Peace Agreement. And this is where today's matter is only seemingly of a different cloth than was the suspension of economic sanctions against the Federal Republic of Yugoslavia or the resolutions concerning the Peace Agreement. We fear that there will not be a lasting peace in Bosnia until we will have dug out the truth — literally perhaps — about the massacres under consideration here today and until the perpetrators have been tried and punished.

Mr. Legwaila (Botswana): The report of the Secretary-General documents numerous specific instances of summary execution, rape, mass expulsion, arbitrary detention, forced labour and large-scale disappearance, allegedly carried out by the Bosnian Serb and paramilitary forces in Bosnia and Herzegovina. It confirms beyond any doubt that massive violations of international humanitarian law and human rights have occurred in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most. These despicable crimes have shocked the conscience of the international community, and they deserve the strongest condemnation.

It is most regrettable that, to date, the Bosnian Serbs have refused to heed Council resolutions and presidential statements calling for international access to Srebrenica, Zepa and other affected areas. Sadly, it may no longer be possible to secure such access now that the Serbs have been allowed, under the Dayton Peace Agreement, to keep these enclaves.

To compound this exasperating act of defiance by the Serbs, we are now being asked to believe that the gruesome massacres that took place in Srebrenica, Zepa and other areas were the work of the Bosnian Muslims themselves, who decided to massacre each other, for the most incredible of reasons, as explained in Mr. Jovanović's letter, and that the Serbs who brutally overran those enclaves had nothing to do with the massacres.

This is as ludicrous as it is incomprehensible. If the Bosnian Serbs are totally blameless, as is alleged in the letter, why did it take Mr. Jovanović so long to inform the Council of these heinous crimes? The Bosnian Serbs' denial to the international humanitarian organizations of access to the affected areas, and the belated attempt to

"recreate" the events in these areas, can only confirm the involvement of the Bosnian Serbs in these bestial crimes. The international community must therefore dismiss with contempt the heartless cynicism in Mr. Jovanović's letter and stand firm on its demand for access to all the affected areas.

The work of the International Tribunal responsible for bringing to justice those who committed these violations of humanitarian law must be expedited. Persons who have committed violations of international humanitarian law and human rights must know that they will not go unpunished. All cases of violations of international humanitarian law and human rights must be fully investigated and those found responsible punished accordingly.

The draft resolution before us calls upon all States, particularly those in the region of the former Yugoslavia, to cooperate with the Tribunal. We strongly support this provision. We wish to underline the urgent need for the Federal Republic of Yugoslavia to allow the establishment of offices of the Tribunal on its territory. This will convince everyone that the Federal Republic of Yugoslavia has met the requirements for readmittance into the family of nations.

Mr. Qin Huasun (China) (*interpretation from Chinese*): Like other delegations, the Chinese delegation is deeply concerned about, and condemns, the violations of international humanitarian law in the region of the former Yugoslavia. We urge the parties concerned to immediately stop such activities and cooperate with international humanitarian organizations to find out the truth. We also hope that the parties concerned will maintain the peace momentum and create favourable conditions for genuine and lasting peace and stability in the region.

Based on this position, the Chinese delegation will vote in favour of the draft resolution before us.

I wish to point out here that in dealing with the violations of international humanitarian law in the region the Council should distinguish its purview from that of other bodies and refrain from intervening in what falls within the purview of others. We have noted that some elements in the draft resolution before us should be dealt with by the International Tribunal for the former Yugoslavia or other related United Nations bodies, and we express our reservation on those elements.

Mr. Rendón Barnica (Honduras) (*interpretation from Spanish*): After considering the Secretary-General's report of 27 November of this year on violations of international humanitarian law in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most, my delegation can only express its astonishment at the acts of barbarism, intolerance and violence committed against the civilian population during the war in the former Yugoslavia.

These genocidal acts, carried out in clear violation of the most basic norms of humanitarian law deserve repudiation by the international community and the firmest possible condemnation by this Council. The report points out that after the fall of Srebrenica on 11 July this year Bosnian Serb forces, with the participation of their leaders and Serbian paramilitary forces, carried out a series of acts involving abuses against the lives and human dignity of the people in the Srebrenica area, and that the fate of thousands of its inhabitants is still unknown. It is reported that there are eyewitness accounts and other evidence that those same forces carried out mass summary executions in places such as Karakaj, Nova Kasaba and Potocari, among others.

Faced with such abuses of human life and human dignity, my delegation believes that the international community must not remain indifferent, but must react in a vigorous and responsible way to ensure that the crimes committed on the territory of the former Yugoslavia do not remain unpunished. We must support all the efforts necessary for the investigation and determination of the facts, and cooperate actively in the work of the International Tribunal, to ensure that those thought to be responsible for violations of international humanitarian law and human rights are brought to justice. Now that the International Tribunal has issued charges against some of those responsible for the atrocities, the Prosecutor's work of gathering trial evidence should be made easier.

Eyewitness accounts of the disappearances in Srebrenica, Zepa and Sanski Most must be corroborated; there must be verification of statements about the participation of Serb leaders and paramilitary forces, and about forced expulsions, as well as of reports concerning disappearances in the Banja Luka and Pridejor areas and concerning the fate of those subjected to forced labour.

For these purposes, my delegation feels it essential that access to all these areas be given to the relevant United Nations agencies and other international organizations and institutions, including the Special Rapporteur of the Human Rights Commission. It is also necessary to insist that the Bosnian Serb leaders cooperate so that the facts may be fully investigated. My

delegation rejects any attempt to hide or destroy evidence of violations of international humanitarian law. We also reject the presentation by third States of documents intended in one way or another to distort the facts or minimize the gravity of the acts committed.

We regret that neither United Nations personnel, nor the Office of the United Nations High Commissioner for Refugees (UNHCR) nor the International Committee of the Red Cross have free access yet to displaced and detained persons in the areas controlled by the Bosnian Serbs. We urge the Bosnian Serb authorities to guarantee such access immediately.

We believe that until the acts are determined and the guilty are judged there will be no lasting peace in Bosnia.

Having said this, my delegation agrees with the draft resolution, which the Council will soon adopt, and we will vote for it.

Mr. Gambari (Nigeria): My delegation welcomes the recent positive developments in the former Yugoslavia, because we believe sincerely that they could usher in an era of peace in a region that has been ravaged by war in the last four years.

However, the prospect of peace may not fructify unless there is justice for the many victims of the war. In several instances, that war has been conducted with almost total disregard for applicable international law, as well as laws governing the treatment of civilians and of prisoners of war in civil conflict.

In this regard, we have read with grave concern the latest report of the Secretary-General, further confirming earlier reports that there is overwhelming evidence of a consistent pattern of summary executions, rape, mass expulsions, arbitrary detentions, forced labour and large-scale disappearances in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most, all in the territory of Bosnia and Herzegovina.

That report further highlights the fact that the Bosnian Serb forces and their paramilitary allies were responsible for the atrocities. More worrisome is the indication contained in the report that the full scale of the horrors has yet to be properly investigated and revealed.

We therefore reiterate our call on the Bosnian Serbs to give immediate and full access to the relevant United Nations agencies, as well as the International Committee of the Red Cross (ICRC), to the areas where these atrocities appear to have taken place, so that the whole truth may be told. We further call on those concerned to do nothing to tamper with evidence or attempt to conceal or damage such evidence. Furthermore, we urge the parties in the former Yugoslavia to cooperate fully with the Prosecutor and the International Tribunal for the prosecution of those responsible for serious war crimes.

The recent widespread looting, burning and destruction of houses and other property, in particular, by Bosnian Croat forces after the Dayton Agreement is particularly regrettable and must stop immediately. These acts also show that some of the parties have not got the message that such activities and such atrocities will not be tolerated by the international community and that, in any case, they are clearly unhelpful to the future peaceful coexistence of all ethnic groups in the territory. We therefore call on the parties to turn a new page in the history of the Balkans, one that will emphasize tolerance, peaceful coexistence, diversity and accommodation. The practical application of those virtues is long overdue in that region of the world.

My delegation will vote in favour of the draft resolution before us.

Mr. Thayeb (Indonesia): At the outset, the delegation of Indonesia would like to express its appreciation to the Secretary-General for his extremely important, yet enormously distressing, report to the Council, dated 27 November 1995, concerning recent gross violations of international humanitarian law in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most. We also wish to pay tribute to the personnel of the United Nations High Commissioner for Refugees (UNHCR), the United Nations peace forces, the United Nations Protection Force (UNPROFOR) and the International Committee of the Red Cross (ICRC) for their invaluable contributions in providing information on those crimes.

The draft resolution before the Council today represents the latest in a series of resolutions and statements by the Council on the shocking atrocities committed by the Bosnian Serbs in the area surrounding Srebrenica, Zepa, Banja Luka and Sanski Most. The draft resolution is necessary in view of the persistent and stubborn refusal of the Bosnian Serb party to comply with the decisions of the Security Council despite repeated and unequivocal calls by the international community.

The present draft resolution not only reaffirms Security Council resolution 1019 (1995) but also provides a most comprehensive and incisive elaboration of the Council's views on the question of the violation of international humanitarian law by the Bosnian Serbs. The Council's consideration of the draft resolution acquires greater meaning and urgency against the backdrop of the recent signing of the General Framework Agreement for Peace in Bosnia and Herzegovina. It is our view that if this Agreement is to lead to a lasting peace, a thorough and complete investigation of the atrocities which have been committed by the Bosnian Serbs is imperative so that appropriate sanctions against the perpetrators of such blatantly horrendous acts of terror and violence can be imposed.

The report by the Secretary-General chronicles some of the most heinous acts committed against humanity since the Second World War. The accounts of summary executions, rape, mass expulsions, arbitrary detention, forced labour and large-scale disappearances provided in the report have only compounded our deepest fears regarding the depth and scope of suffering inflicted upon so many defenceless people. Even more appalling is the fact that these abhorrent acts were committed in a calculated manner, constituting an inherent aspect of the strategy of the aggressors. This is poignantly reflected in the summary execution of a large number of men, particularly in the area of Srebrenica, by the Bosnian Serbs and their paramilitary forces. Indonesia is equally concerned that there has been little progress in determining the fate of the missing persons.

The Indonesian delegation deems it most unfortunate that some quarters have chosen to cast doubts on the accuracy of the reports which have been submitted by the Secretary-General. We find such attempts, including the deliberate misrepresentation of facts, to go beyond the realm of comprehension, and they are hence totally lacking in credibility. The veracity of such claims can only be confirmed if the Bosnian Serbs comply with the demands of the international community to fully cooperate and provide access to sites where mass killings are suspected to have taken place so that a complete investigation can begin. The refusal of the Bosnian Serbs to allow access raises serious doubts about their claims of innocence.

We therefore fully associate ourselves with the demands contained in the draft resolution that the Bosnian Serb party give forthwith to representatives of UNHCR, the ICRC and other international agencies unconditional access to persons displaced and to persons detained or reported missing, as well as to areas where atrocities have taken place. We further deem it significant that the draft resolution contains various elements which reflect the steadfast commitment of the Council to the principle of individual accountability for acts committed in violation of international humanitarian law. In this regard, we would like to reaffirm the importance which we attach to the cooperation of the parties concerned, in particular the Bosnian Serbs, with the International Tribunal for the former Yugoslavia in the discharge of its duties. We would also like to underline the call contained in the draft resolution for the parties concerned to fully cooperate with the efforts of the United Nations, humanitarian agencies and non-governmental organizations to create the necessary conditions for the repatriation and return of refugees and displaced persons in safety and dignity.

For these reasons, the Indonesian delegation will vote in favour of the draft resolution before us.

Mrs. Albright (United States of America): In the past few weeks we have been able to stress the positive in the former Yugoslavia.

After the initialling of the General Framework Agreement for Peace in Bosnia and Herzegovina, the Council unanimously passed resolutions suspending sanctions and beginning a phased lifting of the arms embargo. Just last week, we authorized a military force led by the North Atlantic Treaty Organization (NATO) that will help implement the Peace Agreement. We expect soon to consider steps to assist in implementing the Agreement in Eastern Slavonia. We are all hopeful that, with the good will and firm commitment of the parties, an enduring peace in the former Yugoslavia can be established.

The draft resolution we are considering today serves as a reminder of the urgency and necessity of that peace. The killings that occurred in Srebrenica, Zepa, Sanski Most, Banja Luka and other locations occupied by the Bosnian Serbs this past summer will prove to be — we hope — the last horrific chapters in a brutal and savage war. But, as we focus our aspirations and efforts on building peace, we cannot excuse, minimize or accept a distorted version of what happened in these places.

The recent letter received by this Council from Mr. Jovanović, in which it is claimed that the Bosnian Serbs are innocent of killing unarmed men from Srebrenica, is an insult to the intelligence of every

member here. It is not only a "big" lie, it is a profoundly insulting lie. And it is a remarkably peculiar document coming from a Government that is seeking to regain the respect and acceptance of the international community.

As the Secretary-General's report makes clear, the responsibility for the atrocities committed in eastern Bosnia this past summer is not in doubt. It rests with the Bosnian Serbs. According to United Nations estimates, between 3,500 and 5,500 Muslim men forced to flee Srebrenica remain unaccounted for.

Reports of survivors and of United Nations peace-keepers agree that the missing men were captured, held in fields or small buildings, summarily executed, and buried in mass graves. Photographs provided to the war crimes Tribunal by the United States show two locations where there was an empty field one day, then hundreds of men apparently under guard shortly after Srebrenica was seized, and, a few days later, nearby fields scarred by mounds of disturbed earth. The war crimes Tribunal has since charged Radovan Karadzić and Ratko Mladić with genocide for the killings.

The Secretary-General's report underlines the importance of support for the work of the Tribunal, and the necessity for parties to the Peace Agreement to meet their obligation to cooperate with the Tribunal in every way. The Tribunal's investigators must have full and unfettered access to information, witnesses and evidence, including suspected grave sites, throughout the region.

In this connection, I note that the Bosnian Serbs have claimed that reporters had free access to investigate the Srebrenica atrocities. That is plainly untrue. The American journalist David Rohde was taken captive by the Pale authorities when he returned to the area of the mass graves in October. The truth is that, although the Bosnian Serbs have promised access to the area, they have not yet lived up to their word, either with respect to the press or with respect to the war crimes Tribunal.

This draft resolution also condemns the burning and looting of houses and territory which, under the Dayton Agreement, are to be returned to Bosnian Serb control. Although the nature and extent of these violations of human rights cannot be equated to, or "balanced against", those committed by the Bosnian Serbs, my Government deplores them and joins the Council in urging an end to all such practices. If peace is to last, the parties must concentrate on actions that will build peace, not make it more difficult to achieve.

For four years, this Council has been confronted by massive violations of law and human dignity in the former Yugoslavia. That is why measures to protect human rights are a central part of the Dayton Agreement. My Government takes those measures very seriously and we expect the parties to meet, in full, their obligation to assist in the implementation process. We remind the parties that there will be consequences if they fail to do so.

The draft resolution we approve today should strengthen our resolve to do everything within our power to assist the parties in building a durable peace so that the events in Srebrenica and elsewhere are not replicated. And it should strengthen as well our determination to enhance the prospects for peace by seeing that the full truth about these events is known, and that those responsible are held accountable for their crimes.

The President (*interpretation from Russian*): I shall now put to the vote the draft resolution contained in document S/1995/1047.

A vote was taken by show of hands.

In favour:

Argentina, Botswana, China, Czech Republic, France, Germany, Honduras, Indonesia, Italy, Nigeria, Oman, Russian Federation, Rwanda, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*interpretation from Russian*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1034 (1995).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Dejammet (France) (*interpretation from French*): There are subjects, there are tragedies, where words are too weak to describe the horror and revulsion that every human being feels when they are described. The memory of the victims demands restraint.

The report the Security Council requested of the Secretary-General damningly shows that the atrocities committed by Bosnian Serb forces were premeditated and systematic. The massacre of civilian inhabitants of Srebrenica, the exodus of the population of Zepa, the suffering of the Muslims and Croats of western Bosnia: these tragedies cry out for justice. It is the duty of justice

to identify and condemn all those who instigated or carried out acts contributing to spreading and practising that ideology of hatred, "ethnic cleansing".

But it is also the duty — and the honour — of the Council to react swiftly. That is why France took the initiative last July of submitting the text that was to become resolution 1004 (1995) when the first alarming information had only just arrived from Srebrenica. And that is why France wished, in close coordination with our German partners, to submit to the Council the draft resolution that has just been adopted.

At a time when a peace plan is coming into force that we all hope will put an end to four years of suffering and horror for the population of Bosnia and Herzegovina, it was necessary to remind all those responsible — no matter who they are — for these exactions, whenever and wherever they might have been committed, that they will not escape justice.

Mr. Fulci (Italy): Over the past six months I have had various opportunities to express my anguish and that of my country at the fate of several thousand persons unaccounted for in Srebrenica and Zepa, anguish increased by the tragic news of possible mass graves, according to the photographic documentation provided to the Council by Ambassador Albright. The Secretary-General's report of 27 November is equally alarming. It adds a dramatic picture of new, appalling violations of humanitarian law that have taken place more recently in the Banja Luka region: a large-scale resumption of "ethnic cleansing"; new cases of persons unaccounted for; and chilling evidence, discovered in Sanski Most, of mass executions.

Confronted by these atrocities in Bosnia, the Security Council could not remain indifferent or passive. Thus, I wish to thank our colleagues from France and Germany for having taken the initiative of drafting the present resolution, a process with which we readily associated ourselves, along with other countries, by becoming a sponsor. The resolution condemns in the strongest possible terms the episodes denounced in the Secretary-General's report, and reaffirms the Council's demand that the Bosnian Serb party give immediate and unimpeded access to persons detained or reported missing, and to the areas in question. It also underlines the need for all the parties to cooperate fully with the International Tribunal for the former Yugoslavia, a commitment provided for by the Peace Agreement signed in Paris.

The extreme gravity of the episodes denounced in the Secretary-General's report does not in any way condone other deeds that may be less grave but that are also deserving of our condemnation. This is why the resolution condemns the widespread looting and destruction of houses and other property, in particular by HVO forces, and demands that all sides refrain from laying mines, in particular in those areas which under the Peace Agreement will be transferred to another party.

The Bosnian Serb authorities have only one way to get out of the predicament into which they have put themselves: immediately to allow the requested access to detained persons and to the places where the mass graves are allegedly located, and to cooperate fully with the International Tribunal for the punishment of those responsible for the very serious crimes denounced in the report. Any attempt to distort the facts, or to attribute responsibility to other parties is totally unacceptable, and will not be accepted by the Security Council.

Peace in Bosnia and Herzegovina can be consolidated only by overcoming the legacy of a merciless conflict that has lasted far too long. But to overcome such a legacy, it is imperative that full light be cast on tragedies reminiscent of the darkest moments in European history, and that the perpetrators of these atrocities be brought to justice.

Mr. Cárdenas (Argentina) (*interpretation from Spanish*): The delegation of Argentina was a sponsor — and a deeply committed one, to be sure — of the important resolution we have just adopted. God willing, it represents the last chapter of the tragedy that until recently engulfed the Balkans.

This chapter is doubtless one of reconciliation, but it is also one of responsibility. All of those who, with a level of savage brutality that shames the world, revived genocidal practices, perpetrated "ethnic cleansing", committed abominable human rights violations or flouted the norms of humanitarian law will now have to face the consequences of their behaviour.

All Member States must fully cooperate, with all the requisite firmness, to ensure that this comes to pass. Only thus will it be possible, in the Balkans and elsewhere, to eradicate such terrible actions and true crimes, which flout the fundamental moral and legal principles on which the international community bases coexistence. Only thus will there be justice. Only thus will there be lasting peace. Finally, should anyone in the future venture to

offend the conscience of humanity and embark on the path of horror, only thus will he know from the very beginning of his acts the predictable consequence of his behaviour: sooner or later, he will have to face justice.

Lastly, I refer to the letter of 18 December 1995 that we all received from the representative of the former Yugoslavia concerning the conduct of some Bosnian Serbs. That letter is unacceptable because it is inspired by a spirit diametrically opposed to that of the resolution we have unanimously adopted today. Hence, we do not hesitate to call it shameful.

Mr. Habiyaremye (Rwanda) (*interpretation from French*): I have no words to express our sympathy for peoples who are suffering. The least the delegation of Rwanda could do was to vote in favour of the resolution we have just adopted, but I believe that our Council's action will not be confined to this expression of intent. A firm political determination to put an end to the horrors described in the Secretary-General's report must follow.

I am comforted by the words of the Ambassador of the United States, who, with the dispatch of 60,000 men to the ravaged region, has just told us — and I will try to paraphrase her: "We hope that this will be the last slaughter." I would hope that every delegation here would do or say the same. Yes, justice will be had, we hope. We hope that it will solve the problems currently besetting the Balkan region.

The President (*interpretation from Russian*): I shall now make a statement in my capacity as representative of the Russian Federation.

Today, the Security Council has again returned to the subject of violations of the norms of international humanitarian law in the former Yugoslavia. With deep regret, we are obliged to note that the basic provisions of resolution 1019 (1995) have yet to be implemented and that the demands and appeals of the Security Council continue to be ignored. The report submitted by the Secretary-General on Srebrenica and Zepa, as well as the most recent reports from the field, attest to the need for the Council to continue to give priority attention to this issue.

Russia's principled position remains unchanged. We firmly condemn any violation of international humanitarian law and human rights on the territory of the former Yugoslavia, no matter by whom or where it is perpetrated. We firmly believe that the Security Council's reaction to such violations cannot be selective or one-sided. If we justly and firmly condemn one party for ignoring the international community's demands, we cannot skirt in silence and with closed eyes the obvious fact of unlawful activity by other parties to the conflict. We are satisfied that the one-sided nature of the initial draft resolution has been corrected in the final text.

The resolution is based on the Secretary-General's report, which cites, *inter alia*, information and evidence of violations by the Bosnian Serbs of humanitarian norms in Srebrenica and Zepa and in the region of Banja Luka and Sanski Most. Sharing the concern expressed on this issue by many delegations, we support the resolution's demand that the representatives of the United Nations, the Office of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross (ICRC) and other international agencies be given immediate and unimpeded access to the regions where such activities are assumed to have taken place.

We must also obtain an answer to the question of the fate of all missing persons. Here, there can be no ethnic or any other kind of selectivity. It is therefore important that the resolution contains a provision granting international personnel access to persons detained by all parties. Representatives of the ICRC have often attested to the fact that each of the Bosnian parties is remiss in this respect.

In respect of the need to react to any activity of the parties that violates the letter and spirit of the Peace Agreement on Bosnia and Herzegovina, we are pleased that the resolution clearly expresses the Council's condemnation of recent events in the area of Mrkonjić-Grad and Šipovo. In these areas, units of Bosnian Croats have implemented a scorched-earth tactic in territories that, in accordance with the conditions of the Peace Agreement, are allotted to the Republika Srpska. It is precisely the Bosnian Croats who are designated by the acronym contained in the resolution, "HVO", which for some reason the sponsors decided not to spell out despite our proposals for making the text intelligible to the average reader. The sponsors' refusal to call things by their names — their full names — does not help to allay suspicions regarding the perpetuation of double standards in addressing problems of humanitarian law and human rights in the former Yugoslavia.

In continuing the subject of the territories the status of which will undergo change, we should like once again to draw attention to the serious threat of a potential mass exodus of the Serbian population from Sarajevo, the

looting of their property and even the danger of physical reprisals. In this connection we take very seriously the most recent statements by the individual representatives of the leadership of Bosnia and Herzegovina which are by no means helping to relieve our apprehensions on this matter.

In our view, the Council is obliged to continue to keep focusing on the fate of hundreds of thousands of refugees whose presence on the territory of the former Yugoslavia, in addition to the fact that it already constitutes an unprecedented humanitarian tragedy in Europe, is by itself a serious destabilizing potential, one fraught with the possibility of additional hotbeds of inter-ethnic tension and conflicts.

Supporting the demands of the resolution to all States and parties to the conflict in the former Yugoslavia to cooperate with the International Tribunal, Russia once again reaffirms its position on the inadmissibility of making its activity one-sided in nature. The task of the Tribunal is to discover the truth and to give their just desserts to those individuals whose guilt for crimes against humanity will be established, regardless of their ethnic or religious affiliation.

It is inadmissible for anyone, including the Tribunal and even the Security Council itself, to attempt to make use of the sphere of international humanitarian law and human rights as an instrument for achieving political goals.

The problems regarding the implementation of resolution 1009 (1995) and many provisions of resolution 1019 (1995) continue to exist. This aspect of violations of international humanitarian law will have to be given special consideration by the Council on the basis of the Secretary-General's report.

As to the letter of Ambassador Jovanović, as members of the Council are aware, it has not been published as a document of the Security Council. However, a great deal has been said about it at today's formal meeting. Therefore, I believe it is necessary to make this clear: the letter was indeed distributed at consultations of the Security Council and was the subject of discussion. As a result of this discussion, the President of the Security Council met with Ambassador Jovanović, communicated the position of the Security Council, listened to his explanations and then informed the members of the Council and made the appropriate statement to the press. In so doing, we believe the question was terminated.

Having signed the Peace Agreement a few days ago in Paris, all the parties undertook an additional responsibility to abide by universally recognized norms of international humanitarian law and human rights. Unswerving implementation by them of their obligations is a most important condition for the successful development of the peace process and the achievement of a just and lasting peace in the Balkans.

I shall now resume my function as President of the Security Council.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on the agenda. The Security Council will remain seized of the matter.

The meeting rose at 7.05 p.m.